

REMARKS

By this Amendment, Applicant hereby adds claim 14. Accordingly, claims 5-14 are all of the claims pending in the application.

I. Claim Rejections under 35 U.S.C. § 102(e)

The Examiner maintained the rejection of claims 5-13 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,850,808 to Yuen et al. (hereinafter “Yuen”). Applicant respectfully traverses this rejection and respectfully requests that the Examiner reconsider the rejection at least in view of the following comments.

Turning to claim 5, Applicant respectfully submits that Yuen does not disclose “an instruction table for storing instructions and storing corresponding input/output types of parameters for the instructions,” as recited, *inter alia*, in claim 5.

In the Advisory Action mailed on August 20, 2009, the Examiner alleges that the claim does not require storing of the input/output types in the instruction table (*see* page 2 of the Advisory Action). Applicant hereby amends claim 5 to clarify that the input/output types are stored in the instruction table. Applicant respectfully submits that Yuen clearly does not disclose storing input/output types in an instruction table, as required by the claim.

Applicant also respectfully submits that Yuen does not disclose “a search and determination means for searching the instruction table for an instruction in a code in a portion of a sequence program selected as diversion data from an existing diversion-source sequence program, to determine a corresponding input/output type of a parameter for the instruction,” as recited, *inter alia*, in claim 5.

In the Advisory Action, the Examiner alleges that the claim only requires a search means or a determination means (*see* page 2 of the Advisory Action). Applicant hereby amends claim 5 to clarify that the claim includes the feature of a search and determination means.

According to Yuen, a system is provided that extracts relevant control variable names from templates, and corresponding variable names from related templates are displayed to the program designer in a tabular format. The system according to Yuen allows the program designer to create substitute “interface” variable names or tags that would globally replace related control variable names throughout all of the related templates. According to Yuen, by substituting such interface tags throughout the templates, “compound” templates may be generated using the modular, lower-level templates. *See* col. 3, lines 16-30 of Yuen.

Thus, Applicant respectfully submits that Yuen does not determine corresponding input/output types of parameters for instructions, as required by the claim. Instead, the system according to Yuen merely extracts variable names from templates, presents corresponding variable names from related templates, and permits the program designer to globally replace related variable names. The process of extracting variable names and replacing variable names is unrelated to the claimed determining of corresponding input/output types of parameters for instructions.

At least for these reasons and for the reasons presented in the Response filed on August 5, 2009, Applicant respectfully disagrees with the Examiner’s assertions in the Advisory Action. Accordingly, Applicant respectfully submits that claim 5 is patentable over Yuen.

Applicant respectfully submits that independent claims 7 and 13 recite features similar to, although not necessarily coextensive with, the features discussed above with respect to claim 5. Accordingly, Applicant respectfully submits that claims 7 and 13 are patentable over Yuen at least for the reasons discussed above with respect to claim 5. Applicant respectfully submits that dependent claims 6, 9, and 11, and claims 8, 10, and 12 are patentable over Yuen at least by virtue of their dependency on claims 5 and 7, respectively.

II. New Claim

Applicant hereby adds new claim 14, which is supported throughout the specification. Applicant respectfully submits that claim 14 is patentable over Yuen at least by virtue of its dependency on claim 13. Applicant further submits that claim 14 is patentable over Yuen at least because Yuen does not disclose or suggest, “the input/output types stored in the instruction table comprise at least one of an input type, an output type, or an internal type,” as recited in claim 14.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. **If any points remain in issue, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below to set up an interview.**

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Application No.: 10/562,012

Attorney Docket No.: Q91175

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: September 8, 2009